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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/824,301

04/14/2004

John Gentile

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LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

DEBERADINIS, ROBERT L

ART UNIT

PAPER NUMBER

2836

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,301

Applicant(s)

GENTILE ET AL.

Examiner

Robert DeBeradinis

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The reply filed 6/12/06 consists of amending claims 1, 21 and remarks related to rejection of claims.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 16, 17, 20, 21 are rejected under 35 U.S.C. 102(b) as being anticipated by FERBER 5,626,948.

Regarding claims 1, 16, 20, 21.

FERBER discloses a product (figure 6) comprising: a circuit path including a first path formed by a substantially nonconductive composition (18) having a first color (col. 2, lines 14-28) , said second path being disposed on said first path so as to include at least one open circuit area along said second path; and an electronic circuit element coupled to said circuit path, said electronic circuit element being energized by a source through said circuit element being energized by a source through said circuit path by closing said at least one open circuit area.

Regarding claims 2, 17.

FERBER discloses the product of claim 1, wherein said conductive composition resistivity is less than or equal to 5 k ohms/mm squared (col. 9, lines 5-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-8, 10-14, 18, 19, 23-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over FERBER 5,626,948.

Regarding claims 3-8, 10-14, 18, 19.

FERBER discloses the product of claim 1.

FERBER does not disclose specific dimensions of the resistive elements of the electrical circuit, however these dimensions are considered to merely be a circuit designers choice to produce a desired design.

Regarding claims 23-32.

FERBER discloses an electrical system having a multilayer conductive composition arranged on a substrate for conducting current from a power source to current operated modules on a variety of objects such as wearing apparel and toys (col. 1, lines 15-18).

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It would be obvious to one of ordinary skill in the art to design an object with color conductive layers to carry current to operate current conducting modules to perform a function such as making a noise for a toy when the toy is touched or lighting a greeting light when the greeting card is opened.

Claims 9, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over FERBER 5,626,948 in view of 5,567,037.

Regarding claim 9.

FERBER 5,626,948 is silent wherein the conductive circuit is ink. FERBER 5,567,037 teaches a conductive composition includes ink.

It would have been obvious to one having ordinary skill in the art at the time of this invention to modify the product disclosed by FERBER 5,626,948 include an ink conductor. The motivation would be to simplify the conductor where a multi layer conductor was not required.

Regarding claim 15.

FERBER 5,567,037 teaches wherein said electronic circuit element is connected to said battery through said circuit path when a conductive element is connected across said at least one open circuit area.

Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by FERBER 5,626,948 in view of Wilbur 4,363,081.

Regarding claim 22.

FERBER discloses the product of claim 22.

FERBER does not disclose object comprises paper.

WILBUR discloses ink as conducting traces on a greeting card.

It would have been obvious to one having ordinary skill in the art to modify the substrate 18 to a paper substrate to fabricate a greeting card with flashing lights.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

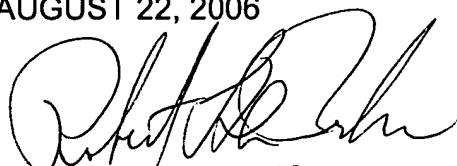
Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (571) 273 8300.

RLD

AUGUST 22, 2006



ROBERT L. DEBERADNIS
PRIMARY EXAMINER